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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,702	06/22/2006	Yongqin Zeng	CN030059	9741

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EXAMINER

STOKELY-COLLINS, JASMINE N

ART UNIT	PAPER NUMBER
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2423

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04/28/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/596,702	Applicant(s) ZENG ET AL.	
	Examiner JASMINE STOKELY-COLLINS	Art Unit 2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-11, and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Shastri et al (WO 01/18658 A1).

Regarding claim 1, Shastri teaches a method for creating a specific segment during broadcasting a program (title), comprising the steps of: receiving a request of an user from an user terminal, which requests to create a specific segment, wherein the specific segment is part of the program (pg. 15 ll. 7-20); and creating the specific segment according to the request (pg. 15 ll. 22-25).

Regarding claim 2, when read in light of claim 1, Shastri further teaches sending the program to the user terminal (pg. 15 ll. 7-8).

Regarding claim 3, when read in light of claim 1, Shastri further teaches sending the created specific segment to the user terminal (pg. 15 ll. 22-25).

Regarding claim 6, when read in light of claim 1, Shastri further teaches adding an additional information corresponding to the specific segment, wherein the additional information is used to explain the specific segment (pg. 11 ll. 26-28).

Regarding claim 7, when read in light of claim 6, Shastri further teaches sending the additional information to the user terminal for the user to request to send the specific segment (pg. 11 ll. 29- pg. 12 ll. 2).

Regarding claim 8, when read in light of claim 7, Shastri further teaches the additional information is valid within a predetermined duration for the user to request to sending the specific segment (fig. 3 and pg. 13 ll. 1-9. Links to clips are displayed in region 305. When the link is no longer displayed, the user no longer has access to the clip).

Regarding claim 9, Shastri teaches an apparatus for creating a specific segment during broadcasting program, comprising:
means for receiving a request of an user from an user terminal, which requests to create a specific segment, wherein the specific segment is part of the program (pg. 15 ll. 19-22); and
means for creating the specific segment according to the request (col. 15 ll. 13-14).

Regarding claim 10, when read in light of claim 8, Shastri further teaches sending means for sending the program to the user terminal (pg. 11 ll. 9-13).

Regarding claim 11, when read in light of claim 10, Shastri further teaches the sending means is arranged to send the created specific segment to the user terminal (pg. 15 ll. 22-25).

Regarding claim 13, when read in light of claim 9, Shastri further teaches the creating apparatus is arranged to add an additional information corresponding to the specific segment, wherein the additional information is used to explain the specific segment (pg. 11 ll. 26-28).

Regarding claim 14, when read in light of claim 13, Shastri further teaches the sending apparatus is arranged to send the additional information to the user terminal for the user to request to send the specific segment (pg. 11 ll. 29- pg. 12 ll. 2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shastri et al (WO 01/18658 A1) in view of Tran et al (US 7,039,683 B1).

Regarding claim 4, when read in light of claim 1, Shastri teaches the method according to claim 1.

Shastri does not teach receiving a plurality of requests of different users from user terminals, which request to create the specific segment and making a statistical analysis of the received requests.

Tran teaches a system for providing electronic information over delivery networks such as the Internet, television, cable, etc. (abstract, col. 2 ll. 40-50, col. 5 ll. 55-60) in which requests for information are anticipated before, after, or concurrently with requests for the information (col. 3 ll. 22-28). By anticipating the demand for information, an information provider can decide whether to store copies of that information in a location that is more easily accessible to a target user (abstract, col. 6 ll. 1-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to anticipate requests in the manner taught by Tran for the benefit of processing access requests faster by storing popular media in a medium that is electronically closer to a user (col. 6 ll. 7-11).

Regarding claim 5, when read in light of claim 4, Shastri further teaches the statistical analysis is made according to a classification of the users (col. 3 ll. 5-12).

Regarding claim 12, when read in light of claim 9, Shastri teaches the apparatus according to claim 9.

Shastri does not teach means for making the statistical analysis of the request.

Tran teaches a system for providing electronic information over delivery networks such as the Internet, television, cable, etc. (abstract, col. 2 ll. 40-50, col. 5 ll. 55-60) in which requests for information are anticipated before, after, or concurrently with requests for the information (col. 3 ll. 22-28). By anticipating the demand for information, an information provider can decide whether to store copies of that information in a location that is more easily accessible to a target user (abstract, col. 6 ll. 1-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to anticipate requests in the manner taught by Tran for the benefit of processing access requests faster by storing popular media in a medium that is electronically closer to a user (col. 6 ll. 7-11).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kinno et al (US 2003/0154217 A1) teaches an information delivery system that retrieves media segments by using a scene searcher.

Corey et al (US 5,703,655) teaches a video program retrieval which uses closed captioning text to search for and retrieve a requested scene.

Bayrakeri et al (US 2006/0184979 A1) teaches a system and method for delivering video segments.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASMINE STOKELY-COLLINS whose telephone number is (571) 270-3459. The examiner can normally be reached on M-Th 9:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Jasmine Stokely-Collins/
Examiner, Art Unit 2423

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Supervisory Patent Examiner, Art Unit 2423